



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KARLY ESPINAL, GREGORIO VASQUEZ, JESUCRISTO  
SANTOS LUNA, YAN CARLOS MENA, NELSON DIAZ,  
ENGLES RODRIGUEZ, EDDY NUNEZ, MIGUEL  
AGRAMONTE-BAEZ, CORPUS PEREZ, SANTOS ROJAS-  
FRIAS, and JUAN N. NUNEZ, on behalf of themselves and  
others similarly situated,

Plaintiffs,

-against-

SHINOBI NY LLC d/b/a/ NINJA NEW YORK, HARUO  
YAZAKI, and JOHN DOES 1-10,

Defendants.

Civ. No.: 12-CV-5313

Swain, J.

**STIPULATION EXTENDING DEFENDANTS' TIME TO ANSWER,  
MOVE OR OTHERWISE RESPOND TO PLAINTIFFS' COMPLAINT**

Plaintiffs and Defendant, by and through their undersigned counsel, hereby  
stipulate and agree as follows upon the following premises.

WHEREAS the parties have entered into settlement negotiations;

WHEREAS Defendants are preparing payroll records for production to Plaintiffs  
in furtherance of those negotiations;

WHEREAS Defendants have indicated their intention to seek dismissal of the  
claims against the individual Defendants by motion pursuant to Fed. R. Civ. P. 12(b);

WHEREAS the parties seek to conserve resources during settlement negotiations;  
and,

WHEREAS one previous extension of the deadline to respond to the Complaint in  
this matter was made and granted,

NOW THEREFORE IT IS STIPULATED AND AGREED AS FOLLOWS:

1. Defendants' deadline to respond to the Complaint is extended from September 10, 2012 to September 28, 2012.

CILENTI & COOPER, PLLC  
ATTORNEYS FOR PLAINTIFFS  
708 Third Avenue - 6<sup>th</sup> Fl.  
New York, New York 10017  
(212) 209-3933

By:   
JUSTIN CILENTI, ESQ.

Dated: 9/7/12

JACKSON LEWIS LLP  
ATTORNEYS FOR DEFENDANTS  
58 South Service Rd., Ste. 410  
Melville, New York 11747  
(631) 247-0404

By:   
NOEL P. TRIPP, ESQ.

Dated: 9/7/12

SO ORDERED on this 10<sup>th</sup> day of September, 2012

  
United States District Judge

